FIGHT OVER THE RAILROAD BILL.

Committee Causing a Row.

PIERRE, S. D., March 4.—(Special Telegram.)—This afternoon in the house a reso-

lution was sprung which caused considerable excitement and which will lead to a

vigorous fight tomorrow. A committee of thirteen appointed by the republicans to in-

troduce a new railroad bill which should please the people, took occasion in its report

Not a Strong Case Against Mc oy.

Sweet Got One Populist Vote.

Law Applies to All.

ST. LOUIS, March 4 .- In the case of the

Missouri, Kansas & Texas company, appealed from the judgment of the federal

STILL SOME POINTS TO BE SETTLED

Wabash-Alton Difficulty Threatens to Lis-

rupt the Western Committee.

SWEARING VENGEANCE ON A TRAITOR

Iowa Indians Opject to One of Their Nun

bar Glving in an Assessment.

WICHITA, Kan., March 4.—A special to the Eagle from Perkins, Okl., says: The

Iowa Indians in this country are in a stat:

of great excitement and are talking of tak-

BOARD OF EDUCATION.

hange in School Year Reconsidered -- Paid

Entertainment Prohibited.

At a meeting of the Board of Education

last evening the previous action of the Board

making the school year nine months instead

of ten was reconsidered, and the term fixed

at nine and a half months. The present

The old bills of the Fuller & Warren con

pany for furnishing heating apparatus for

the Franklin and Columbian schools, amounting to \$2,700, were allowed, closing the long

lisputed account between the board and the

A resolution by Mr. Tukey prohibiting col-

lections in the schools and the holding entertainments in the school buildings

which admission is charged was passed.

CHEYENNE, March 4.—(Special Telegram.)—The trial of Charles Boulter on the

Robbed of Cash and Dramonds.

cash and a diamond stud valued at \$40 the Oxford hotel last night.

Movements of Ocean Steamers, March 4.

At New York-Arrived-Burgundy, from Marseilles; Massachusetts, from London

Antwerp-Arrived-Bremerhaven, from

company.

year term will, however, be nine months.

CHICAGO, March 4.-The committee

Morley Submits the Land Bill to the House of Comm ns.

DIVISION ON ITS FIRST READING

Improvements Must Be Appraised and Pald For-Free Sale of Holdings Allowed -Provision to Meet the Cases of Evicted Tenants.

LONDON, March 4 .- In the House of Commons today John Morley introduced the new Irish land bill, and in doing so he said he accepted the declaration of belief made by Thomas Wallace Russel that the land question was at the bottom of the disturbance and Ill feeling in Ireland and that Parliament was competent to make such laws as the condition of Ireland required. The reasons for asking the House of Commons to amend the acts now was that in October next the tenants could have their rents renewed for fourteen years. It was desirable, therefore, to make the circumstances of these renewals as easy as possible.

Mr. Morley defended the report of the recent land committee, ridiculing the idea that it was one-sided or issued by a packed majority. In explaining the present bill Mr. Morley said that at the foundation of the government proposals was a broad principle of social principles toward land. A general rule of protecting the tenant in ownership if improvements were made was absolutely indispensable in Ireland, owing to the denow proposed that all the improvements on a holding should be presumed to have been done by a tenant unless the contrary was proven. This provision in the bill compels done by a tenant unless the contrary was proven. This provision in the bill compels the courts to give compensation and security for improvements to the tenants, and it also proposed to amend the act of 1879 so as to make it perform its functions in the way it was designed it should. Consequently it should be modified in a way to prevent the undoubted intention of Parliament being frustrated. The compensation to be paid to a tenant would be in impression to the paid to a tenant would be in money or in money's worth. It was also proposed by this measure It also makes the term of the holdings ten instead of fifteen years, at the end of which

might purchase the tenancy for the sum agreed upon. When the court fixed a fair rent the landlord might demand that the court specify the value of the holding in case the tenant wishes to sell and the landlord wishes to buy. Where a tenant was in occupancy as a caretaker for five years and had discharged all the obligations incidental to the holding, he should at the end of the period be deemed to be the present tenant again with all former rights of occupancy. It was further proposed by the bill that all arrears of rent might be recovered within the next two years. After then the landlord would be ble to recover two years' arrears only.
Mr. Morley concluded a speech lasting tw

hours with a final proposal to re-enact section 13 of the act 1891, with slight modifications in order to meet the question of evicted tenants. He then made a fervent appeal to the House to carefully consider the bill. Upon the conclusion of his address the Irish land bill passed its first reading without a divi sion being taken.

REPORT THE REBELLION ABOUT OVER-

Surrendered or Heen Captured.

WASHINGTON, March 4 .- According to a dispatch received at the Spanish legation in this city, the Cuban revolution is about over Minister Muragua tonight received a dispatch from the captain general of Cuba, of which the following is a translation:

HAVANA, March 4 .- The three bands insurgents who appeared in the province of Matanzas some days ago have completely vanished. Of their three leaders, one, Man-uel Garcia, has been killed; a zecond one, Antonio Lopez Coloma, has been captured, and the third, Marrero, has surrendered. All the members of these bands of rebels have either been captured or have surrendered. There is not a single rebel at liberty in the province. The civil guard has been recalled t ano, Havana and Santa Clara. The prov and, Havana and Santa Clara. The prov-ince of Puerto Principe is quiet. In the province of Santiago de Cuba, the rebels have been completely isolated and are lack-ing in ammunition and arms. They are hesitating whether to surrender or to resist for a short time longer. Commissions have been formed in the hope of persuading them to lay down their arms, and they have re-quested ten days to consider the question and to do. The government has refused to grant this delay.

ON BEHALF OF POLAND,

### Secret Conspiracy of Austrian Students to Free an Oppressed Country.

TARNOPOL, Australian Galicia, March The trial of twenty-six young students and teachers belonging to a seminary and gymnasium here, opened today. The prisoners are charged with lese majeste and con-

According to the story current here, one of the students confessed to a pricet that he was engaged in a recent conspiracy, and he added the priest induced him to inform the police and the arrest of the conspirators It seems from a document in from the thralldom of Prusaia, Austria and Russia," which countries are described as being the irreconcitable enemies of Poland. In the last eight days members of the ociety who withdrew from the society have been threatened with death.

ENDED IN A DEAD BEAT.

London County Council. LONDON, March 4.-The county council election cases have resulted in a dead heat, each side electing fifty-nine members. The dead heat is due to the fact that Lord Dunraven, for the moderates, was elected for Wadsworth. The progressives, however, with have a small majority in the council on Pierce, solicitor for the first mortgage holders account of the votes of the aldermen, who of the Oregon Short Line & Utah Northern; are chiefly progressives.

Sultan Sent Cigarettes and Sweets. CONSTANTINOPLE, March 4.- The Hamburg-American line steamer, Augusta Victoria, with a large party of American excursionists on board, arrived here on Saturday. The sultan sent an aide-de-camp to greet the passengers, and ordered cigarettes greet the passengers, and ordered cigarettes and sweets to be distributed among them. His majesty also permitted the Americans to visit the palace. All the passengers of the Augusta Victoria are in good health.

Winter Back in England. LONDON, March 4.-Severe weather has returned in Great Britain and in the northern part of the continent. Yesterday there

and James Gordon Bennett challenge cup ferred to Omaha

RELIEF FOR IRISH TENANTS No. 2 today at the Mediterranean Yacht club regatts.

The first heat of the match for the Richard Winslow cup, value, 2,000 francs, was won by the Delanagh, owned by Mr. Balfour Neill of Belfast.

INVOLVES MANY MILLIONS Development of Delivery o

CUBAN REVOLUTIONISTS VICTORIOUS.

Battalion of Spanish Troops Put to Flight Near Manzauttle. JACKSONVILLE Fla., March 4.- The following are specials to the Jacksonville Citi

KEY WEST, Fla., March 4.-News reached here tonight that an engagement has occurred between 300 insurgents and a battalion of Spanish regulars near Manzanillo in the southeastern part of Cuba. The Spaniards were routed. The news is posted to-night in the Cuban club and places of resort. Hundreds of Cubans are on the streets re-

TAMPA, Fia., March 4.—General Maximo omez is with Henry Brooks and 3,000 insurgents near Guantamo, on the south coast of Cuba. An American engineer of note is with them. He has been in the pay of the revolutionary committee for many months. He has traveled over every part of Cuba, studying the topography and positions of strategic advantage. He has visited all the Spanish fortifications on the island and has prepared plans of attack for the second cube second control of the second cube second cu fortifications on the island and has prepared plans of attack for the revolutionary commanders. He has designed in the mountainous part of eastern Cuba, 350 miles from Havana, a central supply station, general hospital and headquarters. Since February 24, when the revolution was declared, all the available insurgent volunteers have been engaged in fortificing these controls. gaged in fortifying the camp under the direction of the engineer.
The reported defeat and wounding of Gen-

eral La Chambra, governor of the eastern department of Cuba, has been confirmed. A partment of Caba, has been construed. A lin a foreign country shall be letter from Havana today received by a prominent Cuban states La Chambra has died from wounds received at the encounter with the wounds received at the encounter with the forces of Henry Brooks near Guantamo. This is a serious loss to the government and will greatly encourage the revolutionists. Among the patents affected are three iscisions of the Irish courts whit a upset the in-tention of Parliament, and the government new proposed that all the improvements on a

trated. The compensation to be paid to a tenant would be in money or in money's worth. It was also proposed by this measure that holdings should be subject to statutory conditions until the new rents were fixed and the statutory conditions thereby revived. It also makes the term of the holdings ten of the holdings ten. the government supported the attitude of Captain General Galeja. It considered that In regard to the landlord's right of pre-emption, the tenant was to be allowed the free sale of his interests, but before selling he had to give cash to the landlord, who might purchase the tenants for the the Spanish-American protocol of 1877 afeigners were subject to the same laws as the Cubans, except that they could only be tried by ordinary tribunals, and not by

Military Debate in the Reichstng.

BERLIN, March 4.-The debate on the military estates was resumed in the Reichs-tag today. Herr Liebnecht, socialist, again urged that the German army be converted into a militia force, which, he claimed, would form a guaranty of liberty and peace. Herr Eoneccerus, national liberal, strongly opposed the proposition, declaring that Germany possessed a disciplined and absolutely trustworthy army, and that she did not intend to deliver it up to the socialists.

Queen Victoria Visits London. LONDON, March 4.-Queen Victoria has returned to London from Windsor in order

Hohenlohe, the youngest son of the chancellor, is betrothed to the Princess Eman-uela, widow of Prince George of Salm-Shraunf iz. The prince was bern in 1832, and is a member of the Reichstag.

Fuerst Bismarck at Jaffa JAFFA, Palestine, March 4.-The Hamburg-American line steamship Fuerst Bismarck, which left New York January 29 with a large party of American excursionists, arrived here

n Sunday.

Reichstag Rejects a Government Loan BERLIN, March 4 .- The Reichstag has rejected the government's request for a credit of 2,400,000 marks, with which to build orpedo boats.

Bayard Recovers from Inflaenza. LONDON, March 4 .- Hon. Thomas F. Bayard, the American ambassador who vas recently attacked by influenza, has re-

Sir William Severy Dead. LONDON, March 4.-Sir William Scoville Savory, F. R. C. S., late president of the Royal College of Surgeons, is dead, aged 69.

CHICAGO IRISH HONOR EMMETT. argest Gathering Which Ever Attended

Similar Celebration CHICAGO, March 4.-By far the largest Irish gathering ever seen in Chicago in honor of Robert Emmett, and probably the greatest celebration of the kind on record on either side of the Atlantic, took place at the Auditorium tonight. Every seat, in the huge amphitheater was reserved days ahead. Hun dreds of people were standing in the aisles and lobby long before the hour set for the exercises, while on the streets, at the entrance, hundreds of others were waiting for admittance. Hon. John F. Finnerty pre-sided. The orator of the occasion was Alexander Sullivan. Pending his appearance there was a characteristically eloquent address by Chairman Finnerty, followed by Mrs. Genevra Johnstone Bishop, a descend-

Spangled Banner."
Mr. Clarence Eddy, one of the few per formers invited to play on the great Troca-dero palace organ at the Paris exposition, manuscript which was found at the residence rendered on the magnificent Auditorium of one of the students implicated that the organ a number of fascinating examples of object of the secret society was to effect the authentic music of Ireland. The scene an organization among the rural people and when Alexander Sullivan came on the stage working classes in order "to free Poland was a memorable one. The vast audience rendered on the magnificent Auditorium organ a number of fascinating examples of the authentic music of Ireland. The scene seemed to suddenly rise en masse, cheering frantically again and again in a way seldom seemed to suddenly rise en masse, cheering frantically again and again in a way seldom witnessed except at a great national convention. It was Mr. Sullivan's initial appearance before an Irish audience in some years. He confined his remarks to a forceful presentment of Emmett's deeds and principles. The speaker was frequently interrupted by outbursts of applayer and releasing was bursts of applause, and on closing was give another remarkable ovation.

ant of the Ulster rebels, singing the "Star

### U. P. OFFICIALS IN PORTLAND.

Two Important Cases to Be Heard Within

the Next Few Days. PORTLAND, Ore., March 4.-United States Senator John M. Thurston of Omaha, general solicitor of the Union Pacific system; W. S. of the Oregon Short Line & Utah Northern; General J. C. Cowin of Omaha, special counsel for the government; E. L. Lomax, general passenger agent, and George H. Pegram, chief engineer of the Union Pacific. Rallway and Navigation company so as to absolve him from the payment of indebtedness contracted by the Union Pacific in its operation of the Oregon Railway and Navigation company. The latter case will probably be heard first. It will come before United States District Judge Ballinger tomorrow. The independent receivership case will come before United States Circuit Judge Gilbert later in the week. Senator Thurston will was a hard frost, and snow is falling today in this city and Paris.

American Yacht Winning Trophics.

CANNES, March 4.—Mr. Heary Allen's

American yacht Dakota won the Ogden gobiet

Justice Harlan Hands Down an Opinion of Importance to Inventors.

LIMITATIONS TO THE LIFE OF A PATENT

American Patents Expire at the Same Time as Those Issued in a Foreign Country for the Same Invention.

WASHINGTON, March 4 .- The case of the Bate Refrigerator company against Francis Sulsberger & Co., upon which the question of American patents expire when foreign patents have been previously issued, was decided today in an exhaustive opinion by Justice Harlan. It is estimated that many millions of capital hinges upon the decision, which determines the status of many valuable patents.

The court held that the invention for which Bate received a patent was previously patented in a foreign country and that the United States patent did expire with the

standpoint of the patentse without regard to the interests of the American public.

He could be patents. The decision is against the decision of this case.

The case involves the construction of section 4.887 of the Revised Statutes, which provides that "Every patent granted for an invention which has been previously patented in a foreign country shall be so limited as to expire at the same time as the foreign patent, or, if there be more than one, at the same time no case shall it be in force more than seventeen years."

Among the patents affected are three is sued to the Western Union Telegraph company on applications filed by Thomas A. Eddison, as follows:

Patent No. 474,230, application filed April 17, 1877, Nos. 474,231 and 474,232, applications filed July 27, 1877, and March 7, 1893.
Patent No. 492,789 was issued to the same party on an application filed by the same party on September 5, 1877. These flavour tions fleed July 27, 1877, and March 7, 1893.
Bell Telephone company by the consolidation contract November 1, 1875. These Edison patents. The inventions have been in use since 1878. The Edison inventions were patented in England, France and Canada in 1877, in Belgium, Austria-Hungary, Italy, Germany and Spain in 1878, and in Prussia in 1882. They are free in foreign countries, and under the construction now given of section 4,887 are made free in this country.

Substantially the decision will affect in the same way the quadruley metals were and the patents and under the construction now given of section 4,887 are made free in this country.

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section 4,887 are made free in this country.
Substantially the decision will affect in the same way the quadruplex patents which were applied for in October, 1874, and issued De-cember 12, 1873. The incandescent lamp patents filed by the General Electric com-pany are also included in those which will be affected by the decision. There was no dis-

sention of opinion.

The decision at first reviews the patent laws since the foundation of the government, tracing with minuteness the provisions as to foreign and domestic patents. It sums up the laws thus

From this history of the several acts of congress relating to patents for inventions is

INTENT OF CONGRESS. returned to London from Windsor in order to be present at tomorrow's drawing room at Buckingham patace. She appeared in good health, and in spite of the cold weather, drove to the railroad station, Her majesty was dressed in black.

Chancellor's Son Betrothed.

BERLIN, March 4.—Prince Alexander von Hobenlobe, the youngest son of the clear. of that which was claimed as new had before been invented or discovered or patented or described in any foreign publication, its use in this or any foreign publication, its use in this or any foreign country; yet an original and true inventor was not to be deprived of a patent for his invention by reason of his having previously taken out letters patent therefor in a foreign country, and the same having been published at any time within six months next preceding the filing of his specifications and drawings.

3. That under the act of 1839 an inventor, whose invention has not been introduced into public and common use in the United States prior to the application for a patent, should not be debarred from receiving a patent by reason of his invention "having been patented in a foreign country more than six months prior to his application."

4. That under the act of 1870 an inventor, whose invention had not been introduced into public use in the United States for more than two years prior to the application, should not be debarred from receiving a patent should not be debarred from the country more than six months prior to his application."

whose invention had not been introduced into public use in the United States for more than two years prior to the application, should not be debarred from receiving a patent by reason of its having been first patented or caused to be patented in a foreign country—these words not being qualified as in the act of 1839 by any reference to the date of the application.

5. That when an American patent was granted in conformity with the 6th section of the act of 1839 for an invention "patented in a foreign country more than six months prior to his application." It expired in every case at the end of fourteen years from the date of republication of such foreign letters patent; and when, in cenformity with the 25th section of the act of 1870 a patent was granted for an invention "first patented or caused to be patented, in a foreign country," it expired at the same time with the foreign patent, or if there be more than one at the same time, with the one having the shortest term.

IMMITATIONS ON ITS LIFE.

6. That under the revised statutes, while

LIMITATIONS ON ITS LIFE.

6. That under the revised statutes, while a patent for an invention could not be withheld nor deemed invalid "by reason of its having first been patented in a foreign country, unless the same has been introduced into public use in the United States more than two years prior to the application, yet every patent granted for an invention previously patented in a foreign country shall be so limited as to expire at the same time with the one having the shortest term—in no case to remain in force longer than seventeen years."

The decision then takes up the legal conten-

The decision then takes up the legal conten tion of the plaintiff that when the same invention is patented both in this country and abroad the American patent remains in force for seventeen years from its date, if the foreign patent was issued after the application for, although prior to th date of, the American patent. The interpretation placed upon the act of 1870 by the patent office and the courts is minutely considered and copious decisions cited and the decisions say this court may well adopt that construction

which is in harmony with settled practice, and under judicial decisions which may be disturbed or destroyed by the announcement of a new rule. The decision then says:

Was the Bate invention patented abroad before it was patented in this country? If so, the American patent expired with the foreign patent, and thereby the American public became entitled to the use of the invention from the time the foreign public were permitted to use it. Congress, in effect, by the existing laws, says to an inventor seeking to enjoy the exclusive use. disturbed or destroyed by the announcement were permitted to use it. Congress, in effect, by the existing laws, says to an inventor seeking to enjoy the exclusive use in this country of his invention for the term prescribed by law: "If your invention has not been introduced into public use in the United States for more than two years you may, upon complying with the conditions prescribed, obtain an American patent and you may, if you can, obtain a foreign patent. But the American patent will be granted on the condition that if you obtain the foreign patent first, your invention shall be free to the American people whenever by reason of the expiration of the foreign patent at becomes free to people abroad; but in no case shall the term of the American patent exceed seventeen years." This we deem to be a sound interpretation of this statute, giving to the words used the meaning required by their ordinary signification. In our judgment the language is so plain a refusal to recognize its natural, obvious meaning, would be justly regarded as indicating a purpose to change the law by judicial action, based upon some supposed policy of congress.

PROMISE WAS NOT ABSOLUTE.

PROMISE WAS NOT ABSOLUTE. PROMISE WAS NOT ABSOLUTE.

It is also said the United States promised the inventor when making his application, to give him a patent for the full term of seventeen years from the date of his patent, if, upon examination, it was found that he was entitled to one at the time of such application, and, consequently, a curtailment of that term by reason of something occurring after the filing of the application, and for which he may not be responsible, is not consistent with good faith upon the part of the government. Of course this court would hesitate to accept any construction of an act of congress that would imply bad faith upon the part of any branch

of the government. But the contention just referred to assumes the very matter in dispute. It assumes that the promise to the inventor was not accompanied by any condition authorizing the government to limit the term of its patent to some period less than seventeen years from its date. If the promise to issue a patent is made with the reservation in the statute containing the promise that the patent when issued should be limited to expire with any foreign patent previously issued for the same invention, then there is no basis for the suggestion that the enforcement of that condition violates any promise made to the inventor. A good deal can be said about the intention of congress, as manifested by its legislation, to deal liberally with inventors, and especially those who were ditizens of the United States. This is true, but it is for congress to prescribe the conditions upon which it will secure to inventors the exclusive right to their inventions. What may be due to inventors is a matter about which there may well exist differences of opinion. It is the province of the legislative branch of the government to say when a patent to an inventor shall expire, and, therefore, when the public may enjoy without charge the benefit of the invention covered by it. We can very well undertsand how the extisting statute may in some circumstances operate unjustly to an American Inventor where, in addition to the exclusive rights granted to him in this country for the term of seventeen years, he wishes to secure a monopoly for his invention before obtaining one here, the American patent is limited by law, whether it is so expressed or not in the patent itself, to expire with the foreign patent, having the shortest term. This is the case as it appears from the standpoint of the patente without regard to the interests of the American public.

REMEDY LIES WITH CONGRESS.

We need not say whether these considerations were or were not sufficient to induce the standpoint of the patente without regard to the interests of the America

The supreme court has reversed the opinion of the lower court involving the validity of the patent of the National Cash Register company. The decision is in favor of the

company.

The Georgia case of Cunningham et al. against the Birmingham railroad was decided by the supreme court of the United States oday. Justice White delivered the opinion, sustaining the court in dismissing the bill. The case of Francis A, and Percival B. Coffin, who were indicted in Indiana in 1893 on three counts for complicity in the failure of the Indianapolis bank, was decided in an opinion by Justice White. The contenin an opinion by Justice white. The conten-tion of the defendants that no one not en-officer of the bank could be convicted for complicity was not sustained, but the refusal of the judge to charge that there existed a presumption of innocence was overruled and a

new trial ordered. The case of the Norfolk Western Railroad complainant in error. ward S. Pendleton, was decided in an opinion of Justice Shiras. Pendleton sought to recover penalties for charges in excess of the The supreme court of

Virginia was sustained. HITS THE BELL COMPANY HARD. NEW YORK, March 4 .- The decision of the court of the handed down today, unan'

States. sustaining the decision ower court in the case of the Bate Refrigerting company against Sulzberger, is prob ably more far reaching in its influence and affects a larger amount of property than any decision of the court since 'Greenback' cases were This decision not only settled controversy between the parties directly interested, viz., the General Electric company and the American Bell Telephone com-pany on the one side and the Westinghous and the anti-Bell Telephone company on the other side, but also disposes of a very large number of other patents which the public have assumed to have expired under the ruling of the lower court, but which would have been revived if the decision of the supreme court in this case had been the other way, and it also shortens the life of a great many patents which have not ye ctually expired. The decision is against the position taken by the General Electric company and the American Bell Telephone company and those associated with them in the appeal, and affirms the decision previously rendered by the United States circuit court n this circuit. This decision terminates three Edison patents for the carbon transmitter owned by the American Beil Telephone company, by which it hoped to extend its control for twenty-five years more, as would have been the case had the decision been reversed.

A considerable number of very broad patents owned by the General Electric company are also disposed of by this decision, including Mr. Edison's patent upon the incandescent lamp, regarding which there has been so much litigation, and also his patent on the nultiple are system of distributtion and his patent on the socket for incandescent lamns which was recently held to be valid by Judge Coxe.

ORIGINAL LITIGATION LOST SIGHT OF.

The history of the case of the Bate Refrigerator company against Sulzberger is very interesting. It involves directly a very small sum of money, and the complainants would probably have never thought it worth while to bring the case to a hearing had it not been that the lawyers of the General Electric and Bell Telephone companies discovered that this case directly involved the point in which they were so vitally interested and would furnish the earliest oppor-tunity of bringing it before the supreme court. The result was that the complainant soon found itself represented in court by such eminent and expensive counsel as James C. Carter, James J. Starrow of Bos-ton, counsel for the Bell company, and ex-Commissioner of Patents Charles E. Mitchell of New York, counsel for the General Elec-tric company. No sooner had these eminent counsel put in an appearance than the de-fendant, Sulzberger, found himself represented by the equally eminest counsel re-tained by the Westinghouse, Electric com-pany and the anti-Bell Telephone interests. including Wheeler H. Peckham, Edmund Wetmore, Ben H. Bristow and Leonard Curtis, all of New York.
From this time on the battle was one be

From this time on the battle was one be-tween giants. The question was elaborately argued before the circuit court of appeals for this circuit. Judges Wallace. Shipman and Lacombe sitting, but this court declined to take the responsibility of deciding the question, and certified it up to the supreme court of the United States. This court treated the case as one of so great larger. treated the case as one of so great impor-tance that it took the very unusual course of assigning it for hearing some three years in advance of the regular order, and also allow-ing about double the usual time for argument. These oral arguments were by James C. Carter and ex-Commissioner of Patents Mitchell for the General Electric and Bell Telephone interests, and by Edmund Wet-mere and Wheeler H. Peckham for the Westinghouse and anti-Bell Telephone in-terests, and a large number of briefs were filed on behalf of various other interests affected. Probably there has been no case before the supreme court since the outbreak

## POLICE TO BE INVESTIGATED

Police Commissioners Will Act in Accordance with Grand Jury Report.

GENERAL PLAN TO BE DECIDED TONIGHT

Chief Seavey, Pending the Inquiry, Will Stand Suspended at His Own Reomaha is to have an investigation of the police department from top to bettom, to cover the time since the Board of Fire and cover the time since the Board of Fire and the police department from top to bettom, to cover the time since the Board of Fire and the police department from top to bettom, to cover the time since the Board of Fire and the poople, took occasion in its report; to accuse the railroad commissioners of willful neglect of duty. Today Dowdell introduced a resolution citing the language of the committee are railroad commissioners of willful neglect of duty. Today Dowdell introduced a resolution citing the language of the committee and calling attention to the fact that such neglect conducts missioners.

cover the time since the Board of Fire and Police Commissioners was created down to the present.

Such is the intention of the board, as expressed at the meeting last night in a resolution introduced by Commissioner Smith, and which seemed to meet with the approval of Commissioners Hartman and Coburn, besides that of the mover.

Commissioner Strickler introduced another resolution, which was more restricted in its scope. Both resolutions, however, were laid cover the time since the Board of Fire and

scope. Both resolutions, however, were laid on the table until after a meeting which will be held tonight. To this meeting the county attorney and the members of the

county attorney and the members of the grand jury, especially the foreman, will be invited, and from the information that will be obtained from them the plan of the investigation will be laid out.

Pending the investigation Chief Seavey will be relieved from duty at his own request. He sent the following communication to the board:

I have the honor to request that a thorough and full investigation of my actions as chief of police and of the actions of all other members of the police department be made. Pending this investigation I have the honor to request that I be relieved from duty.

Sweet Got Une Populist Vote,

As soon as the communication was read a motion was made that it be considered in ex-cutive session, and this passed unanimously. What was done behind closed doors was not disclosed, but when the members of the board appeared they announced that the chief would be relieved from duty until further orders from the board. While the communication did not say so in so many words, the board thought that the chief would not care to return to his duties until he was ordered do so after a full exoneration.

RESOLUTIONS ORDERING IT. The preambles to the resolutions of both Strickler and Smith cited the portion of the report of the grand jury in which certain unnamed members of the police department are charged with receiving money from gampealed from the judgment of the federal bling houses and other illegitimate sources in return for protection. The report stated that the only reason for not returning indictments was because they were barred by the statute of limitations. From this point the two resolutions diverged, Smith's proceeding as follows:

| Description | Proceeding | Proceding | Proceding

follows:

Resolved, That this board proceed promptly to investigate thoroughly the condition of the police force from top to bottom. From the time of the creation of this board, towit: May, 1887, down to the present time; that such investigation be public; that the scope of such investigation be unlimited, and that all persons whomsoever having any complaint as to the integrity impartiality or efficiency of any member of the police force during such period be requested and urged to appear before the board and give evidence in regard thereto.

Resolved, That in order that such investigation may be complete and thorough, this board urgently request the attendance and assistance of each member of such grand jury, of the county attorney, or such assistant county attorney as he may designed.

assistant county attorney as he may designate, of the Municipal league, or such committee as it may appoint, of the Connercial club, or such committee as it may appoint, and of all other persons interested in the integrity and efficiency of the members of the police department.

Strickler's resolution was as follows: Resolved, That this board invite and request the county attorney and the foreman of the grand jury to meet with this board at its next meeting, for the purpose of giving the necessary information so that the board may know who are the members of the police force who were referred to it its

e police force who were referred to in its Resolved, That every such member of the police force so referred to in the report of the grand jury be immediately dismissed.

STRICKLER'S MODIFICATIONS. Strickler introduced his resolution im nediately after Smith introduced his. In explanation he said that he was opposed Smith's resolution because it proposed such an investigation as the board could not make because it had not the authority to compel the witnesses it summoned to attend and testify. Neither did the board have money enough to pay witnesses, nor the power of the grand jury. Such an investigation, he held, as it must be necessarily superficial, would be nothing more than a farce and instead of ariving at the conclusions the grand jury reached, the board would be compelled to exonerate all the members of the force. But the grand jury had had the power to compel witnesses to testify as it had the state behind it, and if it would give the board the results of the testimony it heard the latter could act intelligently At any rate the board could find out to whom the jury referred in its report. Mr. Strickler stated that he had seen the county attorney yesterday and the latter had told him that he was willing to appear before the

board and divulge all he knew. Explaining a point raised by Mr. Hartman, Mr. Strickler said his resolution would take up the results reached by the grand jury. If evidence before that body was strong enough to warrant conviction, it was strong enough to warrant dismissal from the force. Members Smith and Coburn were in favor of the fuller inquiry called for by the Smith resolution. Hartman was also of that opinion. Evidence had before the grand jury might not be available before a police board investigating committee. On Strick-ler's motion the matter was laid over until this evening.

lows Indians in this country are in a state of great excitement and are talking of taking summary and violent means to do away with one of their number. John Amble, who lives five miles southeast of this place. Some time ago the authorities decided to assess the property of all the Indians for the purpose of taxation. The Indians at once proposed to resist this plan, and an agreement was made among the members of the tribe not to allow any valuation to be made. Last Saturday John Amble broke this agreement, and the Indians, it is reported, are going to deal with him as a traitor, after their own fashion—torture. This is the first attempt made by the authorities in Oklahama to tax the Indians. The authorities claim that the Indians enjoy all the privileges of citizenship and should be subject to taxation. The Indians reply that they are nothing more than slaves of Uncle Sam, and in substantiation of this point out that an Indian cannot make a visit to a member of another tribe without securing a passport from the Indian agent. An Indian off his reservation is subject to arrest. Head Chief Bighead and Second Chief Tohee have appealed to the United States attorney at Guthrie, and his advice, it is said, is for the Indians to get out an injunction against the tax.

BOARD OF EDUCATION. GAMBLING STILL GOES ON. Chief Seavey, answering a query from the oard, asking if there was not less gambling in the city now than in former years and, if not, why fewer arrests were made said while he did not believe there were fewer persons engaged in gambling now, there was less money handled, owing to the stringency of the times. Several reasons were given to account for the fact that ar-rests are fewer. Dufficulty in securing evidence was the main reason

Chief Detective Haze sent in a report recommending that "unknown" detectives be mployed to secure evidence against gam-On motion of Strickler the finance commit

tee of the board was instructed to draw a voucher for \$50 each month and present it to the council. If the money was obtained it was to be expended for obtaining evidence against gamblers and keepers of gambling rooms by the chief, who was instructed to present a statement monthly as to how the money was spent. Strickler said that al-though past finance committees of the council were opposed to such an expenditure, present one seemed to be in favor of it.

YANKTON, S. D., March 4.—(Special Telegram.)—Two hundred Yankton count

farmers appeared before the Yankton county board of commissioners today and applied for wheat, outs and barley seed for spring planting. It is estimated that onethird of the farmers of the county will ask for seed grain this month. Fifteen thousand for seed grain this month. Fifteen thousand bushels of small grain will be required to meet the demands, and the county commissioners will supply everybody. The shortage in seed arose from the feeding of small grain to hogs during the winter by farmers. Small grain harvest was first-class in Yankton county last year, but the corn crop was short, and in order to keep the hogs for breeding for the coming season, farmers were obliged to feed small grain. Wheat worth 50 cents per hushel on the market was worth 31 per bushel for fattening pork, and farmers generally adopted this plan for preserving shoats. Seed is isson, farmers were obliged to feed small grain. Wheat worth 10 cents per bushel on the market was worth 11 per bushel for fattening pork, and farmers generally adopted this plan for preserving shoats. Seed is isof the war in the outcome of which so many

# sued to farmers by chattel mortgage on crops of 1895. The mortgages draw 8 per DIED COMPARATIVELY EASY cent interest.

Report of the South Dakota Legislative Only One Litt'e Brush Marked the Closing Ecenes in the Senate.

APPROPRIATIONS WILL OUT OF THE WAY

Call Makes a Persistent but Futile Effort to Get His Lottery Investigation Through -Usual Vote of Thanks to the Vice President and President Pro Tem.

WASHINGTON, March 4 .- At noon today the United States senate closed its final session of the Fifty-third congress amid crowded gaileries, congratulatory resolutions, a parting word from President Cleveland and a brief valedictory from the vice president. The wonted dignity of the senate was preserved to the end, except for the rush of business incident to the last hours of a session. The senators were at work by 9 o'clock, after having remained in the chamber until 4 a. m. They clearly showed the fatigue of the long session, lasting from Saturday noon, and their ranks were too thin up to 11 o'clock for the transaction of PIERRE, S. D., March 4.-(Special Teleanything beyond formal business. By that gram.)-The state today practically contime there were few vacant seats on the floor of the senate and the galleries were literally packed, the crowds filling the senate, pushing into the aisles and overflowing in long lines down the corridors and stairways. Many members of the diplomatio corps occupied the gallery reserved for them. By 10 o'clock the last formalities on the two remaining appropriation bills-naval and deficiency-were concluded, and the measures started to the executive mansion. There was no disposition to take up new business and two efforts to consider questions affecting the Bering sea were cut off by objections, A feature of the last moments of the session BOISE, Idaho, March 4.- The ballot for United States senator today was exciting, although there was but a slight change. was the tumultuous laughter which greeted the announcement of Mr. Voorhees of the although there was but a slight change. Sweet's nineteen had agreed to dissolve at 6 o'clock tonight if there was no action. The result was a last heroic effort to get the populists' support. McCarthy, the chairman of the populist caucus, was won over by a telegram from Senator Peffer urging him to support Sweet. The ballot resulted: Shoup, 29; Sweet, 19; Claggett, 12. Then came a test of strength on a motion to adjourn. It was carried by the Shoup men by a vote of 27 to 24. The Sweet men have not given up the fight. committee to wait on the president that the latter tendered his congratulations to congress on the close of its labors. Vice President Stevenson closed the session with a few well chosen words, and, as he stated, the work of the Fifty-third congress passed into history.

PRIVATE BILLS PUSHED THROUGH. A number of bills that were unobjected to were passed by the senate this morning, in-cluding the following: House bills for the relief of Charles Deal and for the relief of J. M. Billings; for the relief of Kate Eberet, an Indian woman; granting a pension to May an Indian woman; granting a pension to May Jane Yyan; authorizing the Dyersburg and Mississippi River Improvement company to bridge the Ohio river, Tennessee; for the relief of John W. Kennedy; for the relief of Basil Moreland, and granting a pension of \$20 a month to Mrs. Mary E. Wise, widow of Licutenant Colonel F. O. Wise.

On motion of Mr. Platt of Connecticut the house bill was passed amounting the convehouse bill was passed amending the copy-right law by limiting the severity of the

penalty imposed on newspapers for uninten-tionally violating the law in reproducing copy-righted photographs, etc. Mr. Pettigrew of South Dakota offered a resolution directing the secretary of the inhe western lines which was appointed on Saturday to consider the formation of the terior to furnish information as to the numsubcommittees within the Western Trunk ber of Indian allotment agents employed in 1893 and 1894. Agreed to. Line Passenger committee met today. It was the original intention that the commit-

At 4 o'clock this morning Senator Dubois introduced the following resolution: tee should meet on Friday, but it was decided this morning to hold the general meeting today in order to permit the committee to report at the general meeting tomorrow. The committee will report that local associations be formed as projected Resolved, That paragraph 1 of rule 16 of the standing rules of the senate be amended by striking out the words "all general ap-propriations, except bills making appropriapropriations, except bills making appropriations for river and harbors, which shall be referred to the commerce committee," and inserting the following: "The general appropriation bills shall be referred to the committee as follows: To the committee on appropriations, the bills for legislative, executive and judicial expenses, for sundry civil expenses and for all deficiencies; to the committee on agriculture, the bill for the Agricultural department; to the foreign relations committee, the consular and diplomatic bill; to the committee on military affairs, the bill for the military establishment, including the military academy; to the local associations be formed as projected at the time of the formation of the Trunk Line committee. These are the eastern and transcontinental committees, with head-quarters at Chicago, the western at Denver and the southwestern to be formed of lines running out of St. Louis and to have headquarters in that city. The territory of the eastern committee, which was originally only extended to the Missouri river, was extended so as to cover the entire states of Kansas and Nebraska.

The general passenger agents of the Alton The general passenger agents of the Altor and Wabash have failed to reach an agree-The general passenger agents of the Alton and Wabash have failed to reach an agreement, or, rather, are fearful that they cannot reach one, on the Kansas City-East St. Louis rate problem, and the general managers of the two lines will take up the matter tomorrow evening. The Alton asserts that East St. Louis is a local point on its line and that it has the right to make the rate 25 cents less than the St. Louis rate. The Wabash contends that the rate to both points should be the same. The completion of the Western Trunk Line Passenger association hinges largely on the outcome of this thing. The Wabash declares that it cannot become a member until the matter is settled, and the Missouri Pacific, which has expressed a willingness to sign the committee agreement when the Wabash is in, will not become a member before that line has signed the agreement. fairs, the bill for the military establishment, including the military academy; to the naval committee, the bill for the naval establishment; to the committee on postoffices and post roads, the postoffice appropriation bill; to the committee on Indian affairs, the bill for Indians and Indian tribes; to the commerce committee, the bill for rivers and harbors; to the committee on coast defense, the fortification bill; to the committee on the District of Columbia, the bill making appropriations for the District; to the committee on pensions, bill making appropriation for pensions."

He could only secure consideration at the

He could only secure consideration at the time by unanimous consent, and as Senator Aldrich objected the resolution falls for this congress. Its introduction created considerable interest, however, especially as the cenator from Idaho gave notice that he would renew the resolution on the first day of the Fifty-fourth congress and press its consideration carly and late. There has for some time existed a latent feeling in the senate that the appropriation committee had too great control of the affairs of the senate. When the senate then, at 4:05 a. m., took a recess until 9 o'clock it was with an under-standing that no business was to be transacted until 11 o'clock except in connection

with the conference reports.
Only three senators—Manderson, Pettigrew and Mitchell-were at their desks when the vice president rapped for order at 9 o'clock this morning, after a recess of less than five hours. Observing the slimness of the at-tendance Mr. Manderson commented on the fact that "the other side seemed to be in a dismal minority" and a recess was taken for fifteen minutes. There were perhaps at this time 100 people in the galleries, the crowd of closing session having taken possession of the capitol.

JUST A SAMPLE SPAT. The octogenarian, Morrill, and the silverhaired Sherman, neither of whom had re-mained throughout the night, came in shortly Those who had remained in the chamber until carly daylight showed in their jaded faces that the strain was felling on them. Mr. Cockrell, who, as chairman of the appropriations committee, has borne a large part of the burden of the forty-eight hours of continuous struggle on the appropriations bill, was among the late arrivals.

At 9:10, when the senate proceedings were resumed, the vice president announced signature to the naval appropriation bill. was the last formality before the taking of the last important measure to the president. At 9:45 the vice president announced his signature to the deficiency bill. This was the last of the appropriation bills and thus all of the great measures for carrying on the government were either at the executive mansion or on their way there.

Little was done before 11 o'clock, unani-nous consent having been given to confine the business to conference agreements. Not knowing this, Mr. Call of Florida made a parting effort to launch a senatorial investigation of the alleged lottery iniquities in Florida. Being informed by Mr. Harris of the agreement, Mr. Call wanted to know what the secret proposed to do at 11 celebrates. what the senate proposed to do at 11 o'clock,
"It will do what it pleases," said Mr.
Harris, with his usual explosiveness.

"On the contrary," retorted Mr. Call, "the senate never does as it pleases, but what a few please." seldom does what the senator from Florida pleases, but always what it pleases,"

added Mr. Harris.

Then the senators lapsed into inaction, waiting for the concluding hour to arrive.

At 10.15 Mr. Voorhees offered a resolution, which was adopted, for the appointment of a joint committee of the two houses, two senators and two members, to wait upon the president of the United States and inform him that congress, having completed its busi-ness, was ready to adjourn. The vice presi-dent named Mr. Voorhees and Mr. Sherman

charge of murder in the second degree for shooting Thomas and Michael O'Neall, two railroad employes, the former fatally, No-vember 22, was begun in the district court today. It will require three or four days to try the case. John Lord reported to the police last night that he had been robbed of \$160 in

as the senate members of the committee.

The Bering sea question made its appearance briefly when Mr. Gray, democrat of Delaware, saked unanimous consent to take up the bill already passed by the house concerning Bering sea regulations, which he said were exacutial to the preservation of the fur

Mr. Morgan. democrat of Alabama. chair.